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**MAILED**  
**FROM DIRECTORS OFFICE**

**MAR 16 2005**

**TECHNOLOGY CENTER 3600**

In re application of  
Michael Wilson

Application No. 09/747,204 :  
Filed: December 21, 2000 :  
For: METHOD AND SYSTEM FOR THE :  
CREATION AND COMMUNICATION OF :  
NOTES CONCERNING AN AUCTION :  
PARTICIPANT OR ITEM WITHIN A :  
NETWORK-BASED AUCTION FACILITY :

DECISION ON REQUEST  
FOR WITHDRAWAL OF  
ATTORNEY

This is a decision on the request filed on November 18, 2004, under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application.

The request is **NOT APPROVED**.

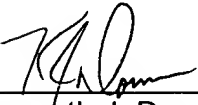
Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. For approval of such a request the following conditions must be met:

- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) There must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a);
- C) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided;
- D) The applicant or patent owner must have been notified of the withdrawal as provided for in 37 CFR 1.36.

09/747,204

The request to withdraw as attorney is not accepted in the above-identified application because the request lacks condition B) above.

As to condition B), The statement included in the request, "Discontinuation of attorney client relationship," does not satisfy one of the valid reasons for withdrawal under 37 CFR 10.40 (b)(1)-(4) or (c)(1)-(6). The attorney may not discontinue the attorney client relationship on his own accord.



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KJD/slb: 01/28/05